

RULES  
OF  
DEPARTMENT OF DRIVER SERVICES

CHAPTER 375-5-4  
ALCOHOL AND DRUG AWARENESS PROGRAM

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### **570-23-.01 Scope.**

~~To provide instructions to young people of this State regarding the dangers of alcohol and drug use as it relates to the operation of a motor vehicle; to provide for instructors; to provide for the issuance of certificates to persons who successfully complete the course.~~

Authority O.C.G.A. Sec. 20-2-285.1. **History.** Original Rule entitled “Scope” adopted. F. Oct. 11, 1983; eff. Oct. 31, 1983.

Repealed.

### **375-5-4-.01 Organization**

Such staff administers the Alcohol and Drug Awareness Program (ADAP) of the Department of Driver Services as the Commissioner deems necessary.

Authority: O.C.G.A. §20-2-142(b)(1).

## **SYNOPSIS**

### **STATEMENT OF PURPOSE AND MAIN FEATURES OF PROPOSED RULE**

The purpose of this proposed amendment is to replaced an existing regulation in light of changes in the governing statutes, specifically the changes made by H.B. 501, enacted at the 2005 session of the General Assembly, which created the Department of Driver Services and transferred the responsibility for administration of the law relating to the issuance of driver’s licenses and administration of the Alcohol and Drug Awareness Program to that agency.

### **DIFFERENCES BETWEEN EXISTING AND PROPOSED RULES**

The existing regulation is repealed and reenacted, as modified, with the rules and regulations of the Department of Driver Services. The new rule describes the organization of the Alcohol and Drug Awareness Program.

### **570-3-.02 Course Content and Material**

- ~~(1) The curriculum format must be approved by the Department.~~
- ~~(2) All videos utilized in conducting ADAP classes must be submitted to the Department for approval.~~
- ~~(3) The course shall consist of four (4) sessions relating to:~~
  - ~~(a) Alcohol and driving;~~
  - ~~(b) Other drugs and driving;~~
  - ~~(c) Georgia law and insurance;~~
  - ~~(d) Summary and safe driving;~~
- ~~(4) All materials will be furnished by the instructor:~~
  - ~~(a) Student workbooks;~~
  - ~~(b) Pamphlets when available~~
  - ~~(c) Certificates of Completion~~
  - ~~(d) Videos related to alcohol and drug use and safe driving.~~

Authority: O.C.G.A. §20-2-142(b)(1).

### **375-5-4-.02 Definitions**

Terms used in these rules have the following meaning:

- (a) “ADAP” means the Alcohol and Drug Awareness Program administered by the Department of Driver Services.
- (b) “Certificate of Completion” means a standardized numbered certificate prescribed by the Department and issued by the instructor or school administrator to all students who successfully complete the ADAP course and pass a written examination with a score of at least 70.
- (c) “Clock hour” means fifty minutes of instruction in a sixty minute period.
- (d) “Curriculum” an approved four (4) hour course to provide instructions to young people of this State regarding the dangers of alcohol and drug use as it relates to the operation of motor vehicles.
- (e) “Department” means the Department of Driver Services.

(f) “Replacement Certificate” means a certificate issued by the Department to a student who has successfully completed the course and has lost or been unable to locate the original Certificate of Completion.

(g) “Instructor” means an employee of the Department, local and state law enforcement officers, teachers certified by the Georgia Board of Education in Health Education, Health and Physical Education and Driver and Safety Education, or other individuals who has been approved by the Department to provide instruction in the ADAP curriculum.

(h) “Monitor” means a compliance analyst approved by the Department for the purpose of monitoring ADAP classes in order to determine that the instructor is teaching the material contained in the ADAP workbook or instructor manual.

(i) “Student” means a person between the ages of 13 and 17 years of age required by Georgia law to complete the ADAP course prior to issuance of a Georgia Class “D” provisional driver’s license.

(j) “Student Roster” a document listing the class instructor, class location, date, student’s full name, date of birth and whether the student passed or failed the course.

Authority: O.C.G.A. §20-2-142(b)(1).

## **SYNOPSIS**

### **STATEMENT OF PURPOSE AND MAIN FEATURES OF PROPOSED RULE**

The purpose of this proposed amendment is to replace an existing regulation in light of changes in the governing statutes, specifically the changes made by H.B. 501, enacted at the 2005 session of the General Assembly, which created the Department of Driver Services and transferred the responsibility for administration of the law relating to the issuance of driver’s licenses and administration of the Alcohol and Drug Awareness Program to that agency.

### **DIFFERENCES BETWEEN EXISTING AND PROPOSED RULES**

The existing regulation is repealed and reenacted, as modified, with the rules and regulations of the Department of Driver Services. The new rule describes the definitions of terms used in the regulations governing the Alcohol and Drug Awareness Program.

### **570-23-.03 Materials.**

All materials, if available, will be furnished by the instructor:

- ~~(a) Student wordbooks;~~
- ~~(b) Pamphlets;~~
- ~~(c) Films;~~
- ~~(d) Certificates;~~
- ~~(e) Instructors workbooks;~~
- ~~(f) Other related items.~~

Authority O.C.G.A. Sec. 20-2-285.1. **History.** Original Rule entitled “Materials” adopted. F. Oct. 11, 1983; eff. Oct. 31, 1983.

Repealed.

### **375-5-4-.03 General Regulations**

- (1) All schools with grade nine and above which receive funds in any manner from the state shall make available to eligible students the ADAP course at least once annually.
- (2) Scheduling for such courses shall adhere to school policies and procedures.
- (3) Make-up classes shall be taught by employees of the Department, local law enforcement and other designated individuals in centralized locations to be designated and approved by the Department. Such classes shall be made available to those students who are unable to obtain an ADAP class in public or private schools or home schooled students.
- (4) A make-up class once scheduled and published must be held except, a class could be cancelled due to the following:
  - (a) By an act of nature (fire, flood or other disaster)
  - (b) Instructor unable to conduct class due to accident, serious illness, or family emergency. (When possible, prior to the cancellation of any ADAP class, the Department must be given a 24 hour notice and notice must be posted in a conspicuous place where class is scheduled to be held).
  - (c) If it is determined by the instructor that conditions would be unsafe for the student to attend class such as inclement weather, unsafe facilities, or any other condition that could cause harm to students.
- (5) The maximum number of students attending an ADAP class shall not exceed 60 students per one instructor without prior approval of the Department.

Authority: O.C.G.A. §20-2-142(b)(1).

## **SYNOPSIS**

### **STATEMENT OF PURPOSE AND MAIN FEATURES OF PROPOSED RULE**

The purpose of this proposed amendment is to replace an existing regulation in light of changes in the governing statutes, specifically the changes made by H.B. 501, enacted at the 2005 session of the General Assembly, which created the Department of Driver Services and transferred the responsibility for administration of the law relating to the issuance of driver's licenses and administration of the Alcohol and Drug Awareness Program to that agency.

### **DIFFERENCES BETWEEN EXISTING AND PROPOSED RULES**

The existing regulation is repealed and reenacted, as modified, with the rules and regulations of the Department of Driver Services. The new rule describes the general regulations governing the Alcohol and Drug Awareness Program.

#### **570-23-.04     Certificates.**

~~(1) A record of completion of the State's alcohol and drug driver safety program shall be maintained by the Department of Public Safety as reported by the participating school. Certificates of completion may be issued by the participating school in a manner and design approved by the Department of Public Safety.~~

~~(2) The Department of Public Safety will maintain data recordings of compliance for a period of five (5) years or until a student receives a regular driver's license, whichever occurs first.~~

~~(3) The instructor shall provide the principal a competency test score for all students which will be maintained by the local school or school system as a part of each student's permanent record.~~

~~(4) It will be the responsibility of each school principal to make any or all students records available for audit at any time by the Department of Public Safety or the State Board of Education.~~

Authority O.C.G.A. Sec. 20-2-285.1. History. Original Rule entitled "Certificates" adopted. F. Oct. 11, 1983; eff. Oct. 31, 1983. Amended: F. Dec. 31, 2003; eff. Jan. 20, 2004.

Repealed.

#### **375-5-4-.04     Instructor Requirements**

(1) All ADAP instructors must be approved by the Department.

(2) Instructors must complete an application prescribed by the Department for access to the online ADAP program for administrative purposes prior to any class presentation.

(3) Instructors must conduct the ADAP course in a four (4) hour period consisting of fifty clock minutes with a ten (10) minute break each hour.

(4) The instructional program shall consist of one four (4) hour session or two (2) hour sessions, except classes consisting of five (5) students or less may be conducted in one session consisting of a minimum of 2.5 hours

(5) Classes may be conducted during the week or on weekends. All classes must be concluded by 9:30 p.m.

Authority: O.C.G.A. §20-2-142(b)(1).

## **SYNOPSIS**

### **STATEMENT OF PURPOSE AND MAIN FEATURES OF PROPOSED RULE**

The purpose of this proposed amendment is to replace an existing regulation in light of changes in the governing statutes, specifically the changes made by H.B. 501, enacted at the 2005 session of the General Assembly, which created the Department of Driver Services and transferred the responsibility for administration of the law relating to the issuance of driver's licenses and administration of the Alcohol and Drug Awareness Program to that agency.

### **DIFFERENCES BETWEEN EXISTING AND PROPOSED RULES**

The existing regulation is repealed and reenacted, as modified, with the rules and regulations of the Department of Driver Services. The new rule describes the regulations governing instructors of the Alcohol and Drug Awareness Program.

## **570-23-.05 Instructor Requirements.**

~~Instructors must teach a required four (4) hour course.~~

~~(a) The instructional program shall consist of four hours or four, fifty minute periods.~~

~~(b) The instructional program shall not exceed two, two (2) hour periods in any one day.~~

Authority O.C.G.A. Sec. 20-2-285.1. **History.** Original Rule entitled “Instructor Requirements” adopted. F. Oct. 11, 1983; eff. Oct. 31, 1983.

## **375-5-4-.05 Scope**

To provide instructions to young people of this State regarding the dangers of alcohol and drug use as it relates to the operation of motor vehicles; to provide for instructors; to provide for the issuance of certificates to persons who successfully complete the ADAP course.

Authority: O.C.G.A. §20-2-142(b)(1).

### **SYNOPSIS**

#### **STATEMENT OF PURPOSE AND MAIN FEATURES OF PROPOSED RULE**

The purpose of this proposed amendment is to replace an existing regulation in light of changes in the governing statutes, specifically the changes made by H.B. 501, enacted at the 2005 session of the General Assembly, which created the Department of Driver Services and transferred the responsibility for administration of the law relating to the issuance of driver’s licenses and administration of the Alcohol and Drug Awareness Program to that agency.

#### **DIFFERENCES BETWEEN EXISTING AND PROPOSED RULES**

The existing regulation is repealed and reenacted, as modified, with the rules and regulations of the Department of Driver Services. The new rule describes the scope of the Alcohol and Drug Awareness Program.

### **570-23-.06 Scheduling.**

~~(1) Scheduling shall be conducted in such a manner as to adhere to school policies and procedures.~~

~~(2) Employees of the Department of Public Safety shall arrange schedules with Superintendents, Principals, curriculum personnel or other designated individuals.~~

Authority O.C.G.A. Sec. 20-2-285.1. **History.** Original Rule entitled "Scheduling" adopted. F. Oct. 11, 1983; eff. Oct. 31, 1983.

### **375-5-4-.06 Course Content and Materials**

(1) The curriculum format must be approved by the Department.

(2) All videos utilized in conducting ADAP classes must be submitted to the Department for approval.

(3) The course shall consist of four (4) sessions relating to:

- (a) Alcohol and driving;
- (b) Other drugs and driving;
- (c) Georgia law and insurance;
- (d) Summary and safe driving.

(4) (a) The instructor shall distribute all materials provided by the Department, including, but not limited to the following:

- (i) Student workbooks;
- (ii) Pamphlets when available;
- (iii) Certificates of Completion;
- (iv) Videos related to alcohol and drug use and safe driving.

(b) Additional relevant materials may also be used and distributed.

(5) Instructors shall print and distribute certificates to students who achieve a passing grade.

(a) A record of completion of the State's ADAP program shall be maintained by the Department as reported by the participating school. Certificates of completion may be issued by the participating school in a manner and design approved by the Department.

(b) The Department will maintain records of each student completing the ADAP course for a period of five (5) years or until a student receives a Class "D" provisional driver's license, whichever occurs first.

(c) The instructor shall provide the principal a competency test score for all students which will be maintained by the local school or school system as a part of each student's permanent record.

(d) It will be the responsibility of each school principal to make any or all students' records available for audit at any time by the Department or the State Board of Education.

Authority: O.C.G.A. §20-2-142(b)(1).

## **SYNOPSIS**

### **STATEMENT OF PURPOSE AND MAIN FEATURES OF PROPOSED RULE**

The purpose of this proposed amendment is to replace an existing regulation in light of changes in the governing statutes, specifically the changes made by H.B. 501, enacted at the 2005 session of the General Assembly, which created the Department of Driver Services and transferred the responsibility for administration of the law relating to the issuance of driver's licenses and administration of the Alcohol and Drug Awareness Program to that agency.

### **DIFFERENCES BETWEEN EXISTING AND PROPOSED RULES**

The existing regulation is repealed and reenacted, as modified, with the rules and regulations of the Department of Driver Services. The new rule describes the content and materials to be used in the Alcohol and Drug Awareness Program.

### **570-23-.07 Effective Dates.**

~~Program shall be effective at the beginning of school year 1983-84.~~

Authority O.C.G.A. Sec. 20-2-285.1. **History.** Original Rule entitled “Effective Dates” adopted. F. Oct. 11, 1983; eff. Oct. 31, 1983.

### **375-5-4-.07 Testing**

(1) Each student must attend each of the four (4) sessions in order to qualify for the examination.

(a) Retest: Any student who has attended the referenced sessions may retest with a subsequent class without further instruction.

(b) Only two (2) retests will be authorized without attending additional instructional session.

(c) Any retest may be scheduled at the discretion of the instructor or the school principal.

(d) Oral test may be conducted at the discretion of the school principal or instructor.

(2) A minimum score of 70 must be attained to authorize issuance of a Certificate of Completion.

Authority: O.C.G.A. §20-2-142(b)(1).

## **SYNOPSIS**

### **STATEMENT OF PURPOSE AND MAIN FEATURES OF PROPOSED RULE**

The purpose of this proposed amendment is to replace an existing regulation in light of changes in the governing statutes, specifically the changes made by H.B. 501, enacted at the 2005 session of the General Assembly, which created the Department of Driver Services and transferred the responsibility for administration of the law relating to the issuance of driver’s licenses and administration of the Alcohol and Drug Awareness Program to that agency.

### **DIFFERENCES BETWEEN EXISTING AND PROPOSED RULES**

The existing regulation is repealed and reenacted, as modified, with the rules and regulations of the Department of Driver Services. The new rule describes the testing procedures to be used in the Alcohol and Drug Awareness Program.